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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

- Schools for Integrated Academics and Technologies
- State Water Resources Control Board

A written comment period has been established commencing on **May 14, 2004** and closing on **June 28, 2004**. Written comments should be directed to the Fair Political Practices Commission, Attention Jeanette Turvill, 428 J Street, Suite 620, Sacramento, CA 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written

comments must be received no later than **June 28, 2004**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the costs has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Section 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revisions and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Jeanette Turvill, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Jeanette Turvill, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (Department) intends to adopt

the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Department proposes to adopt the following in Title 3 of the California Code of Regulations:

- Section 2042, Article 3, Subchapter 2, Chapter 3, which concerns allocation of handler payments to producers for bulk milk purchased; and
- Section 2100, Article 1, Subchapter 4, Chapter 3, which concerns eligibility for coverage under the Milk Producers Security Trust Fund and how a beneficial ownership interest is determined; and
- Section 2101, Article 1, Subchapter 4, Chapter 3, which concerns definition of milk eligible for Trust Fund coverage; and
- Section 2102, Article 2, Subchapter 4, Chapter 3, which concerns the calculation of Trust Fund obligations to producers.

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department, addressed to Bob Maxie, Department of Food and Agriculture, Milk Pooling Branch, 1220 N Street, Sacramento, CA, 95814. Written comments must be received no later than 5:00 p.m. Monday, June 28, 2004. Written comments may also be sent to Bob Maxie via electronic mail at bmaxie@cdfa.ca.gov or via FAX (916) 341-5995.

CONTACT PERSON

Inquiries concerning this action may be directed to Bob Maxie at (916) 341-5901. The backup contact person is Mary Riley at (916) 341-5988.

AUTHORITY AND REFERENCE

Food and Agricultural Code (FAC) Section 407 authorizes the Department to adopt the proposed regulations, which would implement, interpret, or make specific sections 62185, 62190, 62501, 62521(e), 62580, 62587, 62623 and 62624 of the FAC.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Food and Agricultural Code Section 62185 provides that when a milk handler fails to pay dairy producers as required, the Department shall obtain information sufficient to determine the amount owed to each producer. FAC Section 62190 provides that for purposes of action on a bond, payments shall be applied with credit first to interest and then to principal. Section 62501 requires producers to receive prompt payment, and to protect them against loss of payment for bulk milk. FAC Section 62623 states how amounts owed to producers shall be calculated when a claim is made against the Milk Producers Security Trust Fund.

Section 2042 will specify how payments will be allocated between bulk milk purchased and other items. The purpose of Section 2042 of the proposed regulations is to specify how handler payments to producers for bulk milk purchases shall be applied to amounts owed and in the event of a claim against the Trust Fund, how handler payments will be applied to the oldest amount due first, then successively, to the next oldest amount due, etc.

FAC Section 62580 lists the criteria required for a producer to be considered for coverage under the Milk Producers Security Trust Fund. This includes the requirement that the producer does not have a beneficial ownership interest in the handler to whom shipments were made. FAC Section 62587 allows the Department to waive any of the provisions of Article 5, Milk Producers Security Trust Fund, if it finds that a hardship would be imposed on persons which is not consistent with the intent of the chapter.

Section 2100 will define what is meant by “beneficial ownership interest” and explain how it will be determined in various types of business ownership arrangements. FAC Section 62580 states that producers who have a beneficial ownership interest in the handler to whom they ship their milk are not eligible to have their shipments covered under the provisions of the Milk Producers Security Trust Fund. The proposed regulations define various different possible business relationships, and identify what shall and shall not be considered to be a beneficial ownership interest.

FAC Section 62521(e) defines “milk” for purposes of Trust Fund eligibility. Section 2101 clarifies this definition to distinguish which ingredients may be added and allow the milk to remain eligible for coverage.

FAC Section 62623 states the guidelines for calculating Trust Fund payments to producers, Section 62624 states the amount that shall be deducted from the claims of producers, and provides that the balance shall be paid from the Trust Fund on a pro rata basis.

Section 2102 will specify and clarify how Trust Fund claim amounts will be determined and calculated. It will explain the sequence and steps followed in the calculation, and will state that only *eligible* milk will be used as the basis for calculation and pro ration of the amounts owed each producer.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following determinations:

- Mandate on local agencies and school districts: None.
- Cost or savings to any state agency: None.
- Cost to any local agency or school district that must be reimbursed in accordance with Government Code Sections 17500 through 17630: None.
- Other non-discretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.
- Significant statewide adverse economic impact on business, including the ability of California businesses to compete with businesses in other states: The initial determination is that there is no statewide adverse economic impact.
- The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Adoption of these regulations will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California. The adopting of the subject regulations does not require a report.
- Significant effect on housing costs: None.

SMALL BUSINESS DETERMINATION

The Department has determined that the proposed regulations affect small business.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), the Department must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSON

Inquiries concerning the substance of the proposed action may be directed to:

Bob Maxie
Research Manager II
Milk Pooling Branch
Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814
Telephone: (916) 341-5901

Please direct requests for copies of the proposed text (the "express terms") of the regulations, the initial statement of reasons, the modified text of the regulations, if any or other information upon which the rulemaking is based to:

Mary Riley
Research Analyst II
Dairy Marketing Branch
Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814
Telephone: (916) 341-5988

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at 560 J Street, Suite 150, Sacramento, CA 95814. The text of proposed regulations and initial statement of reasons are also available on the Internet, at www.cdffa.ca.gov/dairy. When the final statement of reasons has been prepared, it will also be available at this website. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. Copies may be obtained by contacting Cheryl Gilbertson at the address or phone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text, with the changes clearly indicated, available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any

modified regulations to the attention Cheryl Gilbertson of the Dairy Marketing Branch at the address indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Cheryl Gilbertson at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at www.cdfa.ca.gov/dairy.

TITLE 10. DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING REGARDING PRIVATE PASSENGER AUTOMOBILE RATES FOR THE CALIFORNIA AUTOMOBILE ASSIGNED RISK PLAN

RH04036677

April 28, 2004

SUBJECT OF HEARING

The California Insurance Commissioner will hold a public hearing to consider the application of the California Automobile Assigned Risk Plan ("CAARP") to increase private passenger automobile rates referenced in California Code of Regulations, Title 10, Section 2498.5.

AUTHORITY TO ADOPT RATES

The Commissioner will consider the proposed rates pursuant to the authority vested in him by California Insurance Code Sections 11620 and 11624. Government Code Section 11343(a) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed rates at the following date, time, and place:

Date and Time: July 8, 2004
10:00 a.m.

Location: 45 Fremont Street
22nd Floor Hearing Room
San Francisco, California 94105

INFORMATIVE DIGEST

Pursuant to California Insurance Code Sections 11620 and 11624, the Commissioner sets rates to be charged to those obtaining coverage through the California Automobile Assigned Risk Plan (CAARP). California Code of Regulations, Title 10, Section 2498.5 references the simplified manual of rules and rates, which is approved by the Commissioner but not printed in full in the California Code of Regulations. CAARP has proposed an overall average **24.9 percent rate increase** for private passenger automobile insurance coverages. The proposed changes are shown on the attached page entitled "Summary of Rate Level Indications". Further details appear in the application on file with the Commissioner, which is available for review, as set forth below.

TEXT OF RATE APPLICATION AND INITIAL STATEMENT OF REASONS

The Insurance Commissioner has prepared an initial statement of reasons for the proposed rate change, in addition to the informative digest included in this notice. Upon written request, the initial statement of reasons will be made available for inspection or copying. Written requests for the statement of reasons, or specific questions regarding this proceeding, should be directed to the contact person for these hearings (listed below).

The file for this proceeding is available for inspection **by prior appointment** at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday.

ACCESS TO HEARING ROOMS

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person for these hearings (listed below) in order to make special arrangements, if necessary.

PRESENTATION OF ORAL AND/OR WRITTEN COMMENTS: CONTACT PERSON

All persons are invited to submit written comments to the Commissioner prior to the public comment deadline. Comments should be addressed to the following contact person:

California Department of Insurance
Attention: Michael Riordan
45 Fremont Street, 21st Floor
San Francisco, CA 94105
(415) 538-4226
riordanm@insurance.ca.gov
or

California Department of Insurance
Attention: Elizabeth Mohr
45 Fremont Street 21st Floor
San Francisco, CA 94105
(415) 538-4112

Any interested person may present oral and/or written testimony at the public hearing. Written comments transmitted via facsimile machine will be accepted and considered. The facsimile number is (415) 904-5490. Written comments may also be submitted by e-mail to riordanm@insurance.ca.gov. If submitting written comments please limit them to one of the above mentioned options.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, Sections 2662.1–2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
300 Capitol Mall Suite, 1700
Sacramento, CA 95814
(916) 492-3500

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information please contact the Office of the Public Advisor.

DEADLINE FOR WRITTEN COMMENTS

Written comments on the proposed new rates must be received at the San Francisco office of the Commissioner by 5:00 p.m. before or on the date of the hearing. Late submissions will not be considered.

ALTERNATIVES

The Commissioner must determine that no alternative considered by the Commissioner would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

COST OR SAVINGS AND MANDATE ON AGENCIES OR SCHOOL DISTRICTS

The Commissioner has determined that the proposal does not impose a mandate on local agencies or school districts. The proposal will not result in any cost or in significant savings to state agencies, or in costs to local agencies or school districts for which Part 7

(commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings imposed on local agencies.

IMPACT ON HOUSING COSTS

The action proposed herein will not affect housing costs.

IMPACT ON BUSINESSES, COMPETITION OR COMPETITIVENESS

Because the proposal involves a rate change for private passenger automobile rates, the proposal will not have a significant adverse impact on business, or on small business, including the ability of California businesses to compete with businesses in other states. The proposal will not have an adverse impact on competition or competitiveness. The proposal will not negatively affect the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California.

COST IMPACT ON PRIVATE PERSONS OR ENTITIES

The Insurance Commissioner has determined that the proposal will not impact businesses but will impact private persons directly affected.

FEDERAL FUNDING TO THE STATE

The proposal will not affect federal funding.

NON-DISCRETIONARY COSTS OR SAVING.

The proposal will not impose any non-discretionary cost or savings on local agencies.

PLAIN ENGLISH

The application describing the proposal is in plain English. However, the application itself is based on technical actuarial principles.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

Adoption of the proposal would not mandate the use of specific technologies or equipment.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

AUTOMATIC MAILING

A copy of this notice is being sent to all persons on the Insurance Commissioner's mailing list.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

NOTICE OF PROPOSED REGULATORY ACTION:

TO ADD NEW TESTING REQUIREMENTS TO THE REGULAR BASIC COURSE, THE SPECIALIZED INVESTIGATORS' BASIC COURSE, AND CLEAN-UP AMENDMENTS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) is proposing to adopt, amend or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. This proposal is being made pursuant to the authority vested by Penal Code Sections 13503 (powers of the Commission on POST), and 13506 (authority for Commission on POST to adopt regulations), and will interpret, implement and make specific Penal Code Sections 13510 (authority for the Commission on POST to adopt and amend rules establishing minimum standards for California local law enforcement officers), 13510.5 (authority for the Commission on POST to adopt and amend standards for certain other designated California peace officers), and 832.3(b) (mandates Commission to develop a testing program and standardized tests).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In October 2003, the Commission conceptually approved changes to POST's basic testing program that would add a Pre-test, a must-pass Mid-Course, and a must-pass End-of-Course comprehensive examination to the existing basic course testing program (this includes the Regular Basic Course—standard and modular formats and the Specialized Investigators' Basic Course). The addition of the proposed tests addresses the concern that the current system does not adequately promote long-term retention of the material taught in the Basic Course.

Currently the basic course testing program does not contain a "high-stakes" Mid-Course or an End-of Course examination. Rather, Basic Course learning objectives are delivered and assessed within the confines of instructional units called learning domains. Once the material in a domain is taught, a knowledge test of the material in the domain is administered, and students who pass the domain test are not retested on the material again.

The long-term retention issue surfaced in the mid-1990s, when staff was investigating complaints from field training officers (FTOs) alleging that students were not taught required material in basic courses. The investigation revealed that many recent academy graduates could not recall significant

amounts of material that they were previously tested on and passed in the academy. A subsequent review of educational research literature revealed that the use of comprehensive mid-term and final examinations greatly enhances long-term retention of studied material. Accordingly in 1999, POST began a four-year study in conjunction with all 40 basic course presenters to develop comprehensive Mid-term and Final Examinations for its testing program. Working in partnership with the Consortium of California Academy Directors and Coordinators, POST sought and achieved legislative authority, through PC 832.3(b), to require standardized comprehensive tests in the Basic Course. The proposed regulatory action to add the proposed tests to the basic course testing program is made pursuant to PC 832.3(b), which requires POST to develop and maintain a Basic Course Proficiency Testing Program that includes standardized tests which will enable: (1) comparisons between presenters of basic training, and (2) assessments of trainee achievement. The proposed Pre-Course test has been designed to collect information on the relative ability and experience of incoming students so that their subsequent academy performances can be accurately and fairly compared between presenters. The Mid-Course and End-of-Course tests have been designed to validly measure student achievement on the most important training objectives in the Basic Course.

The imposition of adding the proposed tests does not affect the minimum hourly requirements for the Regular Basic Course or the Specialized Investigators' Basic Course. Since the standardized tests are developed and provided by POST, there is no significant impact to training presenters. The affect on students will most likely result in additional hours of study to pass the exams. POST does not predict an increase in the percentage of students who fail. The affect on law enforcement agencies hiring students fresh out of an academy will be beneficial by having new officers with better retention of the curriculum instructed in the Basic Course.

In addition to proposing the addition of the Pre-Course, Mid-Course, and End-of-Course tests as requirements for completion of a POST Regular Basic Course (both formats) and Specialized Investigators' Basic Course, POST is also proposing to make numerous amendments to Regulation 1008, and Commission Procedures D-1 (basic training) and D-10 (Requalification Course) to improve clarity, grammar, format, and consistency.

Proposed changes will amend the *Training and Testing Specifications for Peace Officer Basic Courses*, Commission Procedures D-1 (basic training) and D-10 (Requalification Course), and the incorporation by reference statements in Regulations 1005,

1007, 1008, and 1018. POST is requesting an implementation date of September 15, 2004, to make the proposed changes.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 5:00 p.m. on June 28, 2004. Written comments should be directed to Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, or by fax at (916) 227-2801.

A public hearing is not scheduled. Pursuant to Government Code Section 11346.8 any interested person, or his or her duly authorized representative, may request in writing, no later than 15 days prior to the close of the public comment period, that a public hearing be held.

ADOPTION OF PROPOSED REGULATIONS

Following the close of the public comment period, the Commission may adopt the proposal substantially as set forth without further notice or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date of which the revised text is made available.

TEXT OF PROPOSAL, RULEMAKING FILE, AND INTERNET ACCESS

Detailed information regarding the proposed regulatory action is provided on the POST Internet website at www.post.ca.gov, select Regulations, then Notice of Proposed Regulation Changes to view documents related to this proposal. Documents posted are: the *Notice of Proposed Regulatory Action*, the *Text of Proposed Regulatory Action*, and the *Initial Statement of Reasons*. Anyone who does not have Internet access may request the aforementioned documents by calling (916) 227-4847 and referring to Bulletin #04-07, or by submitting a request in writing to the contact person at the address below. The Rulemaking file, which contains the above-mentioned documents as well as all the information upon which this proposal is based, will

be maintained for inspection during the Commission's normal business hours (Monday through Friday, 8 a.m. to 5 p.m.).

The *Final Statement of Reasons* will be available on July 15, 2004, by requesting it via the above phone number, writing to the address at the end of this notice, or by viewing the documents on the POST Internet website.

ESTIMATE OF ECONOMIC IMPACT

Fiscal impact on Public Agencies including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Non-discretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Costs to any Local Agency or School District for which Government Code Section 17561 Requires Reimbursement: None

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendment of Regulations 1005, 1007, 1008, and 1018, POST Procedures D-1 (Basic Training), D-10 (Basic Course Requalification Process), and the document *Training and Testing Specifications for Peace Officer Basic Courses* will have no affect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses: The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

Affect on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation would have no affect on housing costs.

ASSESSMENT

The adoption of the proposed amendments to this regulation will neither create nor eliminate jobs in the state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

CONSIDERATION OF ALTERNATIVES

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSONS

Inquiries or comments pertaining to the proposed action should be directed to Patricia Cassidy, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, or by telephone at (916) 227-4847, fax number (916) 227-5271 or by email at pat.cassidy@post.ca.gov. The back-up contact person concerning the substance of the proposed action/text for the proposed curriculum revisions to the Regular Basic Course is Anna Del Porto, Associate Program Governmental Analyst; she can be reached by telephone at (916) 227-4854, or by email at anna.delporto@post.ca.gov.

TITLE 14. FISH AND GAME COMMISSION

NOTICE OF PROPOSED CHANGES IN REGULATIONS

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 202, 205, 215, 220, 315, and 316.5, of the Fish and Game Code and to implement, interpret or make specific Sections 200, 205, 206, 215 and 316.5 of said Code, proposes to amend subsection (b)(180) of Section 7.50, Title 14, California Code of Regulations, relating to Smith River fishing regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Current sport fishing regulations for the Smith River in the reaches of: a) the main stem from the mouth to the confluence with the Middle and South forks, b) the Middle Fork from the mouth to Patrick Creek, c) the South Fork from the mouth to Jones Creek, and the North Fork from the mouth to Stony Creek restrict the type of gear to artificial lures with barbless hooks from the fourth Saturday in May through October 31. The use of bait with barbless hooks is allowed from November 1 through March 31. The use of barbed hooks is prohibited all year.

This proposal recommends regulation changes for the Smith River that would allow the use of bait with

barbless hooks for two additional months during September and October within the four river reaches identified above.

The proposed regulation change would provide for a more diverse fishery and increase angling opportunity for Chinook salmon in the Smith River while continuing to protect sensitive species. Creel census data during the years of 1997 through 2002 indicate zero coho salmon and very few steelhead were observed in angler catches prior to November. Based on these data, the Department concludes that allowing the use of bait during September and October does not create additional risk to listed species. In addition, the Smith River upstream of the estuary reach is rarely open prior to November due to the Department's low flow management regulation which is implemented from October 1 through January.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Elk Valley Rancheria, 2500 Howland Hill Road, Crescent City, California on June 24, 2004, at 10:00 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before June 17, 2004, at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@dfg.ca.gov, but must be received no later than June 24, 2004, at the hearing in Crescent City, CA. All written comments must include the true name and mailing address of the commentor.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Robert R. Treanor, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to Robert R. Treanor or Tracy L. Reed at the preceding address or phone number. Ed Pert, Chief, Fisheries Programs Branch, Department of Fish and Game, phone, (916) 445-3616, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at http://www.dfg.ca.gov/fg_comm/.

AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal

regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

IMPACT OF REGULATORY ACTION

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States: The proposed action will not have a significant statewide adverse economic impact affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposed regulation provides additional fishing opportunities and is likely to have a positive affect on local businesses.
- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None
- (c) Cost Impacts on a Representative Private Person or Business:
The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None
- (f) Programs mandated on Local Agencies or School Districts: None

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None

- (h) Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business.

CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

GENERAL PUBLIC INTEREST

DEPARTMENT OF HEALTH SERVICES

ELIMINATE MEDI-CAL INTERIM BILLING CODES FOR ACUPUNCTURE SERVICES AND ADOPT 2004 CURRENT PROCEDURAL TERMINOLOGY—4TH EDITION (CPT-4) CODES

This notice is being given to provide information of public interest with respect to the billing codes accepted by the Medi-Cal program, in compliance the Transactions and Code Sets Rule of the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996. These proposed changes will be effective for dates of service on or after October 18, 2004.

It is the intent of DHS to require all claims for acupuncture services to be billed with CPT-4 codes 97780 and 97781. Interim codes Z4800 and Z4802 will be terminated. Reimbursement for all acupuncture services will be \$17.38 per visit, which is the weighted average reimbursement for interim Medi-Cal codes to be deleted.

These proposed changes will impact the following provider categories:

Acupuncturists, hospital outpatient departments and clinics, long-term care facilities, other outpatient clinics, pharmacies/pharmacists, physicians, podiatrists, and providers of services under the California Children's Services/Genetically Handicapped Persons Program.

PUBLIC REVIEW

The changes discussed above are available for public review at local county welfare offices throughout the State. Copies of this notice may be requested in writing to Kathleen Menda, Chief, Professional Provider Unit, Department of Health Services, 1501 Capitol Avenue, MS 4600, P.O. Box 942732, Sacramento, CA 94234-7320. Billing codes and proposed reimbursement rates for acupuncture services may be viewed on the Medi-Cal website at: www.medi-cal.ca.gov.

Written comments must be submitted within 45 days from the publication date of these changes in the California Administrative Notice Register as follows:

- E-mail: Medi-Cal Comment Forum at www.medi-cal.ca.gov. Submission instructions are provided on the website.
- Mail: P. O. Box 526029, Sacramento, CA 95826-6029
- FAX: (916) 638-8976

All comments should include the author's name, organization or affiliation, phone number and Provider ID number, if appropriate.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

NOTICE OF CONSENT DECREE MOBILE SMELTING SITE MOJAVE, CALIFORNIA

The Department of Toxic Substances Control ("DTSC"), pursuant to the authority vested in DTSC under California Health and Safety Code sections 25360 and 58009, proposes to finalize a Consent Decree regarding the Mobile Smelting Site located at United Street and Reed Road in Mojave, California ("Site") with the Barstow Truck Parts and Equipment Company.

On January 13, 1997, DTSC filed a complaint in United States District Court, Eastern District of California, Docket No. CV-F-97 5016 OWW LJO, against a number of defendants under the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. sections 9601 et seq. and the Resource Conservation and Recovery Act, 42 U.S.C. sections 6901 et seq.. DTSC subsequently filed a First and Second Amended Complaint. The Consent Decree is intended to obtain settlement, as specified in the Consent Decree, with the Barstow Truck Parts and Equipment Company on DTSC's complaint, which includes response costs incurred and to be incurred by DTSC at or in connection with the

Site. The Consent Decree provides for contribution protection to the defendant to the fullest extent provided by law.

DTSC will consider public comments on the Consent Decree which are received by DTSC within thirty (30) days of the date of this notice. DTSC may withhold finalization of the Consent Decree if such comments disclose facts or considerations that indicate the proposed Consent Decree is inappropriate, improper or inadequate.

The Consent Decree and additional background information relating to the Site are available for public inspection at the Department of Toxic Substances Control, 1515 Tollhouse Rd., Clovis, California 93611. A copy of the Consent Decree may also be obtained by contacting the DTSC representative listed below:

Ruben Medina, Project Manager
Site Mitigation Cleanup Operations
Department of Toxic Substances Control
1515 Tollhouse Rd.
Clovis, California 93611
Phone: (559) 297-3901
Facsimile: (559) 297-3931

FISH AND GAME COMMISSION

NOTICE OF FINDING

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Fish and Game Code Section 2111, the California Fish and Game Commission (Commission), at its February 4, 2004, meeting in Sacramento, approved the Recovery Strategy for Coho Salmon (*Oncorhynchus kisutch*) developed by the Department of Fish and Game pursuant to Section 2114 of the Fish and Game Code. At the February 4, 2004, meeting, the Commission also announced its intention to adopt, at its February 6, 2004, meeting in Long Beach a written finding.

NOTICE IS ALSO GIVEN that at its February 6, 2004, meeting in Long Beach, the Commission made the following formal finding and statement of reasons for its acceptance of the Coho Salmon Recovery Strategy.

FINDINGS REGARDING COHO RECOVERY STRATEGY

WHEREAS, the Fish and Game Commission received and considered the November 2003 Public Review Draft of the Coho Recovery Strategy (entitled *Recovery Strategy for California Coho Salmon (Oncorhynchus kisutch), Report to the California Fish and Game Commission, Public Review Draft, November 2003*); the Department of Fish and Game's (DFG)

responses to comments on the Public Review Draft received at three public meetings DFG held in Santa Rosa, Yreka, and Eureka and during a 21-day public review period in November of 2003 (entitled *Response to Comments on the Draft Recovery Strategy for Coho Salmon, Report to the California Fish and Game Commission, January 2004*); the Coho Salmon Statewide Recovery Team Report to DFG (entitled *Report to the Director, California Department of Fish and Game, from The Coho Salmon Statewide Recovery Team, December, 2003*); and other related documents;

WHEREAS, the Fish and Game Commission met on February 4, 2004 to receive public comments on the Recovery Strategy; consider approval of the Recovery Strategy; consider publication of a notice of intent to amend Section 670.5, Title 14, CCR, to add coho salmon to the list of threatened and endangered species; and consider inclusion of policies to guide DFG's issuance of incidental take authorizations under Fish and Game Code Section 2081, pursuant to Fish and Game Code sections 2112 and 2114; and

WHEREAS, the Fish and Game Commission has considered all relevant evidence, including but not limited to: statements and written materials of DFG and all of the commenters; the November 2003 Public Review Draft of the Coho Salmon Recovery Strategy; and DFG's responses to comments on the Public Review Draft;

THE FISH AND GAME COMMISSION HAS DETERMINED that:

1. The Recovery Strategy includes Alternative C and sections 19 and 20 of Alternative B of the timber management alternatives, as recommended by DFG, as range-wide recommendations for timber management. DFG is directed to revise the Recovery Strategy accordingly.
2. The Recovery Strategy includes, in a separate section of the Recovery Strategy, sections 16, 17, and 18 of Alternative B of the timber management alternatives as policies to guide the issuance of incidental take authorizations under the California Endangered Species Act.
3. DFG is directed and encouraged to continue working diligently with the Shasta Valley Resource Conservation District and Siskiyou Resource Conservation District on incidental take permit applications and to report back to the Fish and Game Commission at a date to be determined.
4. DFG is directed to remove from the task descriptions and recommendations all references to the Marin Municipal Water District and the State Water Resources Control Board Order pertaining to the Marin Municipal Water District.

THE FISH AND GAME COMMISSION FINDS that in accordance with Fish and Game Code Section 2111, the Recovery Strategy meets all of the following criteria.

- (a) The Recovery Strategy would conserve, protect, restore, and enhance the species. The Recovery Strategy sets forth recommendations at both range-wide and watershed levels, including prioritized interim and long-term actions, that when implemented will return coho salmon to a level of sustained viability, while protecting the genetic integrity of both the Southern Oregon—Northern California Coast (SONCC) Coho ESU and the California Central Coast (CCC) Coho ESU, and restore harvestable populations of coho salmon for tribal, recreational, and commercial fisheries.
- (b) The Recovery Strategy and implementation schedule are capable of being carried out in a scientifically, technologically, and economically reasonable manner. The Recovery Strategy is based primarily on recommendations developed and agreed to by the Coho Salmon Recovery Team and the Shasta-Scott Coho Recovery Team. In addition to the recovery teams' recommendations, DFG developed additional recommendations it deemed necessary for recovery at both the range-wide and watershed level. All of the recommendations are scientifically, technologically, and economically feasible. They are based on the current science of conservation biology and ecosystem restoration, and represent proven methods for enhancing and restoring habitat and increasing populations. The fiscal and socioeconomic costs of implementation are estimated to be about \$5 billion, which may be an overestimate in some ways and an underestimate in others as was explained by DFG. This estimate does not represent new money; most of the actions can be attained by focusing existing federal and state programs through the lens of the Recovery Strategy. The cost, assuming 25 years at minimum, would be \$200 million per year, which in large part already exists in state and federal grant programs.
- (c) The Recovery Strategy is supported by the best available scientific data. The Recovery Strategy is based on the best available scientific data on coho salmon, which includes the data compiled for the Status Review (DFG 2002), and the continuing efforts of DFG to update historical stream data and presence/absence data. This includes data from a number of timber companies that has been provided to DFG. In addition, in developing the Recovery Strategy, DFG considered other information that was provided by Coho Salmon

Recovery Team members. New information provided by team members and collected by DFG since publication of the Status Review did not significantly change the body of knowledge with regard to the status of coho salmon populations, nor the type or extent of actions needed to recover this species.

- (d) The Recovery Strategy represents an equitable apportionment of both public and private and regulatory and nonregulatory obligations. In accordance with Fish and Game Code Section 2114, the Recovery Strategy is nonregulatory. With the exception of enforcement of existing laws, the Recovery Strategy is voluntary and emphasizes cooperative, voluntary efforts and incentives. Inclusion of Alternative C and sections 19 and 20 of Alternative B of the timber harvest alternatives as range-wide recommendations for recovery is consistent with this voluntary approach. Inclusion of sections 16, 17, and 18 of Alternative B of the timber harvest alternatives as incidental take permitting guidelines is a permit streamlining measure for implementing existing law, the California Endangered Species Act, for permitting incidental take. The Recovery Strategy recognizes that over 60 percent of the land-base within the range of coho salmon is private. The Recovery Strategy states the importance of supporting working landscapes and acknowledges the voluntary actions and stewardship of landowners. It also recognizes the essential role of public lands, funding, and other resources in recovering coho salmon.
- (e) The Recovery Strategy would recover a formerly commercially valuable species to a level of abundance that would permit commercial use of that species. The Recovery Strategy includes the goal of restoring coho salmon numbers to the point where tribal, recreational, and commercial fishing may occur.

THEREFORE, the Fish and Game Commission approves the Recovery Strategy as described in the November 2003 Public Review Draft and amended by the Response to Comments, dated January 2004, and further revised by the Fish and Game Commission's determinations and direction to DFG as described above.

FURTHER, the Fish and Game Commission authorizes and directs its staff to issue, prior to February 29, 2004, a Notice of Intent to amend Section 670.5 of Title 14 of the California Code of Regulations to add the Southern Oregon-Northern California Coast Coho ESU to the list of Threatened Species and to add the California Central Coast Coho ESU to the list of Endangered Species.

The Fish and Game Commission understands that DFG intends to develop and adopt rules and guidelines to implement these policies pursuant to and in accordance with Fish and Game Code Section 2112, and that DFG will issue a Notice of Intent therefor.

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

NOTICE TO INTERESTED PARTIES
MAY 14, 2004

ANNOUNCEMENT OF DRAFT REPORT, PUBLIC
WORKSHOP, AND PUBLIC COMMENT PERIOD

**HEALTH ADVISORY: GUIDELINES FOR
CONSUMPTION OF FISH AND SHELLFISH
FROM CLEAR LAKE, CACHE CREEK,
AND BEAR CREEK (LAKE, YOLO, AND
COLUSA COUNTIES)**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) announces the availability of the draft report entitled "Health Advisory: Guidelines For Consumption Of Fish and Shellfish from Clear Lake, Cache Creek, and Bear Creek (Lake, Yolo, and Colusa Counties)." The report contains an evaluation of findings on mercury in fish and shellfish from Clear Lake, Cache Creek, and Bear Creek, and provides health guidelines for consumption of fish and shellfish from these water bodies. OEHHA is soliciting comments from interested parties on the draft report and advisory during a 30-day public comment period. OEHHA will also hold a public workshop during the comment period to present the draft report and advisory, and receive comments on them. The time, date, and place for the workshop will be posted on the OEHHA Web site at <http://www.oehha.ca.gov>. Comments may be submitted at any time until the close of the comment period.

Comments on the draft report may be submitted by phone, fax, or e-mail to Dr. Margy Gassel. All comments must be received by 5:00 p.m. on June 16, 2004. OEHHA will consider comments received by this time and revise the draft report and advisory as appropriate to issue a final report and advisory.

OEHHA is making the draft document available at the OEHHA Web site at <http://www.oehha.ca.gov>. A copy of the report is also available by calling (510) 622-3170.

If you would like to submit comments, receive further information on this announcement, or have questions, please contact Dr. Margy Gassel using the information provided below.

Dr. Margy Gassel
Office of Environmental Health Hazard Assessment
Pesticide and Environmental Toxicology Section
1515 Clay St., 16th Floor
Oakland, California 94612
Phone: (510) 622-3166
Fax: (510) 622-3218

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(Proposition 65)**

**NOTICE TO INTERESTED PARTIES
MAY 14, 2004**

**REQUEST FOR COMMENTS ON PROPOSED
LISTING OF ARISTOLOCHIC ACIDS AND
HERBAL REMEDIES CONTAINING PLANT
SPECIES OF THE GENUS *ARISTOLOCHIA* AS
KNOWN TO CAUSE CANCER**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Health and Safety Code section 25249.5 *et seq.*, Proposition 65). OEHHA is proposing to include "aristolochic acids" and "herbal remedies containing plant species of the genus *Aristolochia*" on the list of chemicals known to the state to cause cancer, for purposes of Proposition 65.

Health and Safety Code section 25249.8(a) requires that certain substances identified by the International Agency for Research on Cancer (IARC) or the National Toxicology Program (NTP), as described in Labor Code sections 6382(b)(1) and (d), be included on the Proposition 65 list. Labor Code section 6382(b)(1) references substances identified as human or animal carcinogens by IARC, and Labor Code section 6382(d) references substances identified as carcinogens or potential carcinogens by IARC or NTP. Aristolochic acids were identified by IARC as animal carcinogens. Herbal remedies containing plant species of the genus *Aristolochia*, were identified by IARC as carcinogenic to humans.

In 2002, IARC issued the monograph *Some Traditional Herbal Medicines, Some Mycotoxins, Naphthalene and Styrene* (Volume 82) in its series *IARC Monographs on the Evaluation of Carcinogenic Risks to Humans*. In this monograph, IARC concluded "there is *sufficient evidence* in experimental animals for the carcinogenicity of aristolochic acids." In

addition, IARC classified herbal remedies containing plant species of the genus *Aristolochia* as "*carcinogenic to humans (Group 1)*."

Pursuant to state law IARC's designation of aristolochic acids as animal carcinogens and of herbal remedies containing plant species of the genus *Aristolochia* as carcinogenic to humans means that "aristolochic acids" and "herbal remedies containing plant species of the genus *Aristolochia*" must be included on the Proposition 65 list (Labor Code sections 6382(b)(1) and (d)). Therefore, OEHHA proposes to add "aristolochic acids" and "herbal remedies containing plant species of the genus *Aristolochia*" to the Proposition 65 list of chemicals known to cause cancer. Anyone wishing to provide comments as to whether "aristolochic acids" and "herbal remedies containing plant species of the genus *Aristolochia*" meet the requirements for listing as causing cancer specified in Health and Safety Code section 25249.8(a), by reference to Labor Code sections 6382(b)(1) and (d), should send written comments in triplicate, along with any supporting documentation, by mail or by fax to:

Ms. Cynthia Oshita
Office of Environmental Health Hazard Assessment
Street Address: 1001 I Street
Sacramento, California 95814
Mailing Address: P.O. Box 4010
Sacramento, California 95812-4010
Fax No.: (916) 323-8803
Telephone: (916) 445-6900

Comments may also be delivered in person or by courier to the above address. It is requested, but not required, that written comments and supporting documentation be transmitted via email addressed to: coshita@oehha.ca.gov. In order to be considered, comments must be postmarked (if sent by mail) or received at OEHHA (if hand-delivered, sent by FAX, or transmitted electronically) by 5:00 p.m. on June 14, 2004.

DISAPPROVAL DECISIONS

**DECISIONS OF DISAPPROVAL OF
REGULATORY ACTIONS**

Printed below are the summaries of Office of Administrative Law disapproval decisions. Disapproval decisions are published in full at www.oal.ca.gov. You may request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339; (916) 323-6225; FAX (916) 323-6826. Please request by OAL file number.

**STATE OF CALIFORNIA
OFFICE OF ADMINISTRATIVE LAW
(Gov. Code Sec. 11349.3)
OAL File No. 04-0312-05 S**

**DECISION OF DISAPPROVAL
OF REGULATORY ACTION**

In re:

AGENCY: CalPERS

REGULATORY ACTION: Adoption of sections 584, 584.1, 584.2, 584.3, 584.4, 584.5, 584.6, 584.7, 584.8, 584.9, and 584.10 of title 2 of the California Code of Regulations.

DECISION SUMMARY

OAL disapproved the proposed regulations because their proper application depends upon other regulatory material that was not adopted by the Board in accordance with the APA. Additionally, a CalPERS study on fund volatility due to demographic events that was relied upon by the Board in the formation of these rules was omitted from the file.

Date: May 3, 2004

DAVID POTTER
Senior Counsel

for: EDWARD G. HEIDIG
Director

Original: Fred Buenrostro, Chief Executive Officer

cc: Joe Parilo, Regulations Coordinator
Nathan Schmidt, Counsel

**STATE OF CALIFORNIA
OFFICE OF ADMINISTRATIVE LAW
(Gov. Code Sec. 11349.3)
OAL File No. 04-0310-01 S**

**DECISION OF DISAPPROVAL
OF REGULATORY ACTION**

In re:

**AGENCY: DEPARTMENT OF FOOD AND
AGRICULTURE**

REGULATORY ACTION: Adoption of sections 4147 and 4148 of title 4 of the California Code of Regulations.

DECISION SUMMARY

OAL disapproved the proposed biodiesel blending stock specifications and labeling requirement because the text of the text of the labeling requirement

submitted for review contains two substantial changes from the version originally made available for public comment, that were not made available for additional public comment. In addition, we note that the file's updated informative digest does not include the necessary description of the effect of these and other changes made during the rulemaking process, and an ASTM standard relied upon was omitted from the file.

Date: April 29, 2004

DAVID POTTER
Senior Counsel

for: EDWARD G. HEIDIG
Director

Original: Valerie Brown, Deputy Secretary

cc: David Lazier, Branch Chief, Division of
Measurement Standards

**SUMMARY OF REGULATORY
ACTIONS**

**REGULATIONS FILED WITH
SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

AIR RESOURCES BOARD
Off-Highway Recreational Vehicles

This action delays application of the previously adopted seasonal closure of public off-highway vehicle areas to some off-highway recreational vehicles, by grandfathering vehicles manufactured prior to the 2003 model year, thus conferring on them eligibility for a green sticker, and leaving its provisions intact for 2003 and later model year off-highway motorcycles and ATVs.

Title 13
California Code of Regulations
AMEND: 2415
Filed 04/28/04
Effective 05/28/04
Agency Contact:
Aron Livingston

(916) 322-2884

DENTAL BOARD OF CALIFORNIA
RDHAP Examination Requirements

In this regulatory action, the Dental Board of California amends its licensure examination requirements for Registered Dental Hygienists in Alternative Practice (RDHAPs).

Title 16

California Code of Regulations

AMEND: 1079.3

Filed 05/04/04

Effective 06/03/04

Agency Contact: Linda Madden (916) 263-2300

DEPARTMENT OF BOATING AND WATERWAYS
Selection Process for A&E Contracts

This regulatory action sets forth the Department's selection process for private architectural, landscape architectural, engineering, environmental, land surveying, and construction project management firms.

Title 14

California Code of Regulations

ADOPT: 8100, 8100.01, 8100.02, 8100.03, 8100.04, 8100.05, 8100.06, 8100.07, 8100.08, 8100.09, 8100.10, 8100.11, 8100.12, 8100.13

Filed 05/03/04

Effective 05/03/04

Agency Contact: Mike Sotelo (916) 263-0787

DEPARTMENT OF CHILD SUPPORT SERVICES

This action adopts standards and procedures intended to further the collection of child support, including income withholding, real property liens, and notification of credit reporting agencies; assure provision of medical insurance coverage; and provide related definitions.

Title 22

California Code of Regulations

ADOPT: 110226, 110242, 110251, 110336, 110337, 110355, 110485, 110547, 110615, 116004, 116018, 116036, 116038, 116042, 116061, 116062, 116063, 116100, 116102, 116104, 116106, 116108, 116110, 116114, 116116, 116118, 116120, 116122, 116124, 116130, 116132,

Filed 05/04/04

Effective 05/04/04

Agency Contact: Lucila Ledesma (916) 464-5087

DEPARTMENT OF CHILD SUPPORT SERVICES
Amended Conflict of Interest Code

This is a Conflict of Interest Code amendment that has been approved by the Fair Political Practices Commission and is being submitted to OAL for filing with the Secretary of State and printing in the California Code of Regulations only.

Title 22

California Code of Regulations

AMEND: 123000

Filed 05/03/04

Effective 06/02/04

Agency Contact: Lucila Ledesma (916) 464-5087

DEPARTMENT OF CORRECTIONS

Credits—Two For One Credit Earning

This action is the Certificate of Compliance filing making permanent the prior emergency adoption of provisions granting two days credit for every one day of work performed by an inmate assigned to conservation camp work. The prior operational necessity emergency file was OAL file number 03-1007-02EON.

Title 15

California Code of Regulations

AMEND: 3043.5, 3043.6, 3044

Filed 05/03/04

Effective 05/03/04

Agency Contact: Randy Marshall (916) 324-6778

DEPARTMENT OF CORRECTIONS

Inmate Pay

This rulemaking action revises existing provisions on monetarily compensated inmate work, commonly referred to as "inmate pay," and sets a pay schedule of \$0.08 to \$ 0.37 per hour with exceptions. The revisions address assignments, rotation out of a position, non-paid assignments, inmate advisory council membership as a paid assignment, time documentation, application processes, ranking of assignments, pay increases, pay upon advancement to a new position, and reporting of pay reduction for misconduct.

Title 15

California Code of Regulations

AMEND: 3040, 3041, 3041.1, 3041.2, 3043.5

Filed 05/03/04

Effective 06/02/04

Agency Contact: Rick Grenz (916) 324-4331

DEPARTMENT OF DEVELOPMENTAL SERVICES

The regulatory action deals with community services vendorization and community services non-residential service vendor rate-setting provisions. The amendments dealt primarily with Associate Behavior Analysts, Behavior Management Assistants, and Behavior Management Consultants.

Title 17

California Code of Regulations

AMEND: 54342, 57332

Filed 04/29/04

Effective 05/29/04

Agency Contact: Diana Nicolaou (916) 654-1760

DEPARTMENT OF FOOD AND AGRICULTURE

Oak Mortality Disease Control

The emergency regulatory action adds associated articles (nursery stock) of 31 plants to the list of

articles declared to be hosts or potential carriers of *Phytophthora ramorum*, the fungus that causes oak mortality disease (sudden oak death). (Department of Food and Agriculture File PH0416.)

Title 3

California Code of Regulations

AMEND: 3700(c)

Filed 05/03/04

Effective 05/03/04

Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF INSURANCE

Credit Insurance Agent Licensing Regulations

This is the sixth emergency readoption of regulations implementing the licensing scheme for credit insurance agents as set forth in Insurance Code sections 1758.9–1758.994.

Title 10

California Code of Regulations

ADOPT: 2192.1, 2192.2, 2192.3, 2192.4, 2192.5, 2192.6, 2192.7, 2192.8, 2192.9, 2192.10, 2192.11, 2192.12

Filed 04/29/04

Effective 04/29/04

Agency Contact: Debra Chaum (415) 538-4115

DEPARTMENT OF INSURANCE

Special Investigative Units

This is the second readoption of an emergency action that repeals the former regulations on special investigative units of insurance companies and adopts new regulations in their place in order to increase the detection and deterrence of insurance fraud, thereby protecting the public welfare.

Title 10

California Code of Regulations

AMEND: 2698.30, 2698.31, 2698.32, 2698.33, 2698.34, 2698.35, 2698.36, 2698.37, 2698.38, 2698.39, 2698.40, 2698.41, 2698.42 REPEAL: 2698.40, 2698.41, 2698.42, 2698.43, 2698.44, 2698.45

Filed 05/04/04

Effective 05/04/04

Agency Contact: Debra Chaum (415) 538-4115

DEPARTMENT OF JUSTICE

Salvage Industry Business Partner Surety Bond—DMV

This is the adoption of a Salvage Industry Business Partner Surety Bond by the Department of Justice pursuant to Government Code section 11110 to be used by individuals required to file such a bond with the Department of Motor Vehicles. This regulatory action is submitted to OAL only for the purposes of filing the regulation with the Secretary of State and printing the regulation in the California Code of Regulations.

Title 11

California Code of Regulations

ADOPT: 51.20

Filed 04/30/04

Effective 04/30/04

Agency Contact: Anne M. Burr (415) 703-1403

DEPARTMENT OF JUSTICE

Department of Motor Vehicles Salvage Industry Business Partner Surety Bond

This is the amendment of a Salvage Industry Business Partner Surety Bond by the Department of Justice pursuant to Government Code section 11110 to be used by individuals required to file such a bond with the Department of Motor Vehicles. This regulatory action is submitted to OAL only for the purposes of filing the regulation with the Secretary of State and printing the regulation in the California Code of Regulations.

Title 11

California Code of Regulations

AMEND: 51.20

Filed 05/05/04

Effective 05/05/04

Agency Contact: Anne M. Burr (415) 703-1403

DEPARTMENT OF JUSTICE

IRP Industry Partner Surety Bond—DMV

This is an adoption of an IRP Industry Partner Surety Bond by the Department of Justice pursuant to Government Code section 11110 to be used by individuals required to file such a bond with the Department of Motor Vehicles. This regulatory action is submitted to OAL only for the purposes of filing the regulation with the Secretary of State and printing the regulation in the California Code of Regulations.

Title 11

California Code of Regulations

ADOPT: 51.21

Filed 04/30/04

Effective 04/30/04

Agency Contact: Anne M. Burr (415) 703-1403

DEPARTMENT OF MANAGED HEALTH CARE

Interpretive Opinions

This nonregulatory filing revises the e-mail address for the Department that an individual may use as a method for submitting a request for an interpretive opinion from the Department.

Title 28

California Code of Regulations

AMEND: 1005

Filed 05/05/04

Effective 05/05/04

Agency Contact:

Elaine Paniewski

(916) 324-9024

DEPARTMENT OF MENTAL HEALTH

Licensed Mental Health Treatment Staffing and Required Training

In filing these “changes without regulatory effect,” the Department of Mental Health amends regulations pertaining to Community Treatment Facilities staffing and staff training to conform to statutory changes in Chapter 575, Statutes of 2003.

Title 9
California Code of Regulations
AMEND: 1921, 1922
Filed 04/29/04
Effective 05/29/04
Agency Contact: Steven Appel (916) 654-4027

DEPARTMENT OF REHABILITATION

Habilitation Services Program (HSP)

The nonsubstantive filing repeals the Rehabilitation Services Program regulations effective July 1, 2004.

Title 9
California Code of Regulations
REPEAL: 7336, 7337, 7338, 7339, 7341, 7342, 7343, 7344, 7345, 7346, 7347, 7347.1, 7347.2, 7348, 7349
Filed 05/04/04
Effective 07/01/04
Agency Contact: Juanita Loyola (916) 263-8972

DEPARTMENT OF SOCIAL SERVICES

ILP/TLP/THPP and THPP-Plus

This readopt of emergency regulatory action (OAL file no. 03-1023-04E) affects the following programs: Independent Living Program (ILP), the Transitional Independent Living Plan (TILP), the Transitional Housing Placement Program (THPP), and the Transitional Housing Program (THP)-Plus. These programs assist youths and young adults in making the transition from foster care to independent living. These emergency regulations are deemed by statute to have met the “emergency standard” and are exempt from OAL review. (AB 1979 (Stats. 2002, c. 271, sec. 1(d)) and AB 427 (Stats. 2001, c. 125, sec. 13 (b)(2).)

Title MPP
California Code of Regulations
ADOPT: 30-501, 30-502, 30-503, 30-504, 30-505, 30-506, 30-507, 30-900, 30-901, 30-902, 30-903, 30-904, 30-905, 30-906, 30-907, 30-908, 30-909, 30-910, 30-911, 30-912, 30-913, 30-914, 30-915, 30-916, 30-917, 30-918, 30-919, 30-920, 31-236
AMEND: 11-400t,
Filed 04/29/04
Effective 04/29/04
Agency Contact: Rick Torres (916) 657-2659

FISH AND GAME COMMISSION

Black Rockfish Bag Limit, Conformance with Federal Regulations

This emergency rulemaking action sets a zero fish bag limit for black rockfish in the Northern Rockfish and Lingcod Management Area during the months of May, September, October, November, and December. This action brings California’s sport fishing regulations for black rockfish into conformance with recently adopted federal recreational groundfish rules scheduled to take effect May 1.

Title 14
California Code of Regulations
AMEND: 27.60, 28.55
Filed 04/29/04
Effective 05/01/04
Agency Contact: Sherrie Koell (916) 653-4899

FISH AND GAME COMMISSION

Bag Limits for Rockfishes, Cabezon and Greenlings, and Fishery Closure Process

This action amends various existing rockfish bag and sub-bag limits and in-season closure mechanisms in order to comply with NOAA Fisheries 04 optimum yield allocations.

Title 14
California Code of Regulations
AMEND: 27.60, 27.67, 27.82, 28.28, 28.29, 28.55
Filed 04/30/04
Effective 05/01/04
Agency Contact: Sherrie Koell (916) 653-4899

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Tree Climbing and Access

The emergency regulatory action would permit the limited use of cranes for the purpose of having a qualified tree worker access trees if specified conditions are met.

Title 8
California Code of Regulations
AMEND: 3427
Filed 04/29/04
Effective 04/29/04
Agency Contact: Marley Hart (916) 274-5721

VETERINARY MEDICAL BOARD

Small Animal Mobile Units

Existing regulations specify the facility requirements for small animal mobile clinics that function as a veterinary premises and provide veterinary services to common domestic household pets. This regulatory action amends the regulations changing the examination room requirement, changing the separate surgery

room requirement, and extending the compliance date for facilities required to have a separate surgery room.

Title 16

California Code of Regulations

AMEND: 2030.2

Filed 04/29/04

Effective 05/29/04

Agency Contact: Deanne Pearce (916) 263-2622

**CCR CHANGES FILED WITH
THE SECRETARY OF STATE
WITHIN DECEMBER 31, 2003
TO MAY 05, 2004**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

03/29/04 ADOPT: 1395, 1398 AMEND: 1314, 1321, 1322, 1323, 1324, 1332, 1334, 1354, 1390, 1392

Title 2

04/26/04 ADOPT: 585

04/22/04 AMEND: 1142

04/15/04 AMEND: 599.508

04/13/04 ADOPT: 599.511 AMEND: 599.500

03/23/04 ADOPT: 1859.160, 1859.161, 1859.162, 1859.162.1, 1859.163, 1859.164, 1859.164.1, 1859.165, 1859.166, 1859.166.1, 1859.167, 1859.168, 1859.169, 1859.170, 1859.171 AMEND: 1859.2, 1859.51, 1859.103, 1859.106, 1859.145.1

03/23/04 AMEND: 1859.2, 1859.20, 1859.21, 1859.74.2, 1859.74.3, 1859.74.4, 1859.75, 1859.75.1, 1859.78.3, 1859.79, 1859.81.1, 1859.83, 1859.107, 1859.145

03/23/04 ADOPT: 649.23, 649.24, 649.25, 649.26, 649.27, 649.28

03/22/04 AMEND: 1859.77.2

03/22/04 ADOPT: 599.517

03/11/04 AMEND: Div. 8, Ch. 53, Section 54200

03/11/04 AMEND: 18703.1, 18703.2, 18703.3, 18703.4, 18703.5

03/09/04 ADOPT: 22500, 22501, 22502, 22503, 22504, 22505, 22506, 22507, 22508, 22509, 22510, 22511, 22512, 22513, 22514, 22515, 22516, 22517, 22518, 22519

03/02/04 ADOPT: 1859.77.3 AMEND: 1859.2, 1859.77.2

03/01/04 AMEND: 1555

02/26/04

02/23/04 AMEND: 1181.1

02/23/04 AMEND: 59150

02/20/04 AMEND: Div. 8, Ch. 4, Sec. 25001

02/20/04 ADOPT: 58600

02/09/04 ADOPT: 599.893, 599.898, 599.906, 599.907, 599.909 AMEND: 599.894, 599.895, 599.896, 599.898 (renumbered to 599.897), 599.903, 599.904, 599.905, 599.906 (renumbered to 599.908), 599.910

02/05/04 AMEND: 20107

01/23/04 ADOPT: 18531.6 AMEND: 18531.61

01/22/04 AMEND: 18707.5

01/15/04 ADOPT: 599.516

01/15/04 AMEND: 2270, 2271

01/14/04 AMEND: 18427.1

Title 3

05/03/04 AMEND: 3700(c)

04/27/04 ADOPT: 6487.1, 6487.2, 6487.3, 6487.4, 6487.5, 6609 AMEND: 6000, 6416, 6800, 6486.6 REPEAL: 6486.1, 6486.2, 6486.3, 6486.4, 6486.5, 6486.8, 6557, 6570, 6802

04/26/04 AMEND: 6130

04/26/04 AMEND: 3601(g)

04/23/04 ADOPT: 797.5 AMEND: 820.8 REPEAL: 820.7

04/20/04 AMEND: 2676, 2681, 2735, 2783

04/20/04 AMEND: 3700(c)

04/01/04 AMEND: 3700(d)

03/23/04 AMEND: 3423(b)

03/23/04 AMEND: 6462

02/17/04 AMEND: 3430(b)

02/05/04 AMEND: 3417(b)

01/27/04 ADOPT: 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857

01/14/04 ADOPT: 6450, 6450.1, 6450.2, 6450.3, 6784 AMEND: 6000 REPEAL: 6450, 6450.1, 6450.2, 6450.3, 6784

01/05/04 AMEND: 3700(c)

Title 4

04/26/04 ADOPT: 10300, 10302, 10305, 10310, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10330, 10335, 10337

04/22/04 ADOPT: 4145, 4146, 4147, 4148 AMEND: 4140

04/13/04 ADOPT: 144

03/29/04 ADOPT: 10163, 10164 AMEND: 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162

03/23/04 AMEND: 4001

03/05/04 ADOPT: 12204, 12205, 12210, 12211, 12212, 12213, 12214, 12224, 12225, 12227, 12228, 12229, 12230, 12231, 12232 AMEND: 12200, 12201, 12202, 12203, 12206, 12207, 12208, 12209, 12220, 12221, 12222, 12223, 12226

02/27/04 ADOPT: 12270, 12271, 12272

02/20/04 ADOPT: 12300, 12301, 12301.1, 12302, 12303, 12304, 12305, 12306, 12307, 12308, 12309, 12310 AMEND: 12300, 12301, 12302, 12303, 12304, 12305, 12309 REPEAL: 12303, 12307

02/05/04 AMEND: 12202, 12212, 12213, 12220, 12221, 1222, 12223, 12224, 1225, 12226, 12227, 12228, 12229, 12230, 12231, 12232

02/05/04 ADOPT: 12370, 12371

01/22/04 AMEND: 1371 REPEAL: 1373.1

Title 5

04/22/04 ADOPT: 876

03/15/04 ADOPT: 19810, 19811, 19812, 12913, 19814, 19815, 19816, 19817, 19818, 19819, 19820, 19821, 19822, 19823, 19824, 19825, 19826, 19827, 19828, 19829, 19830, 19831

03/11/04 ADOPT: 19802

03/08/04 AMEND: 30060

02/27/04 ADOPT: 6100, 6101, 6102, 6103, 6014, 6110, 6111, 6112, 6115

02/10/04 AMEND: 11960

02/03/04 ADOPT: 853.5 AMEND: 850, 852, 853, 589

02/02/04 ADOPT: 42353.1 AMEND: 42354

02/02/04 AMEND: 41301

02/02/04 REPEAL: 41801

01/16/04 ADOPT: 58509 REPEAL: 58509

Title 8

04/29/04 AMEND: 3427

04/23/04 AMEND: 14300.10, 14300.12, 14300.29, Appendix A, Appendix B, Appendix D, Appendix E

04/22/04 ADOPT: 10202.1, 10203.1, 10203.2 AMEND: 10200, 10201, 10203, 10204

04/20/04 AMEND: 8403

04/19/04 AMEND: 20299, 20390

04/13/04 AMEND: 5044, 5046, 5049. and Table S-1, Table S-1a, Table S-11, Table S-12, Table S-13, and Table S-14.

04/01/04 AMEND: 3427

03/22/04 AMEND: 1529(g)

03/18/04 ADOPT: 5148

02/03/04 AMEND: 1712

02/02/04 ADOPT: 32017, 32018, 51096, 71010, 71026, 71027, 71030, 71035, 71040, 71050, 71055, 71060, 71070, 71080, 71090, 71095, 71100, 71110, 71115,

71120, 71130, 71140, 71200, 71210, 71225, 71230, 71235, 71300, 71310, 71320, 71330, 71340, 71680, 71685, 71700, 71

01/02/04 ADOPT: 9789.10, 9789.11, 9789.20, 9789.21, 9789.22, 9789.23, 9789.24, 9789.30, 9789.31, 9789.32, 9789.33, 9789.34, 9789.35, 9789.36, 9789.37, 9789.38, 9789.40, 9789.50, 9789.60, 9789.70, 9789.80, 9789.90, 9789.100, 9789.110

12/31/03 ADOPT: 10250

Title 9

05/04/04 REPEAL: 7336, 7337, 7338, 7339, 7341, 7342, 7343, 7344, 7345, 7346, 7347, 7347.1, 7347.2, 7348, 7349

04/29/04 AMEND: 1921, 1922

03/04/04 ADOPT: 7000.2, 7001.2, 7001.5, 7002.5, 7006, 7006.3, 7009.1, 7013.2, 7013.6, 7014, 7014.1, 7017.2, 7017.5, 7017.7, 7018.4, 7019.5, 7021.5, 7024.7, 7028.1, 7028.6, 7028.8, 7029.1, 7029.6, 7029.7, 7029.9, 7035, 7037, 7038, 7098, 7128, 7129, 7130, 7130.5, 7

Title 10

05/04/04 AMEND: 2698.30, 2698.31, 2698.32, 2698.33, 2698.34, 2698.35, 2698.36, 2698.37, 2698.38, 2698.39, 2698.40, 2698.41, 2698.42 REPEAL: 2698.40, 2698.41, 2698.42, 2698.43, 2698.44, 2698.45

04/29/04 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4, 2192.5, 2192.6, 2192.7, 2192.8, 2192.9, 2192.10, 2192.11, 2192.12

04/26/04 AMEND: 250.30

04/20/04 ADOPT: 2020, 2021 AMEND: 250.51

04/19/04 AMEND: 2498.6

04/13/04 AMEND: 260.102.14

03/25/04 ADOPT: 2695.40, 2695.41, 2695.42, 2695.43, 2695.44, 2695.45

03/15/04 ADOPT: 2361

03/08/04 ADOPT: 2194, 2194.1, 2194.2, 2194.3, 2194.4, 2194.5, 2194.6, 2194.7, 2194.8

03/01/04 ADOPT: 2698.102, 2698.600, 2698.602, 2698.604 AMEND: 2698.100, 2698.200, 2698.201, 2698.202, 2698.203, 2698.204, 2698.205, 2698.206, 2698.207, 2698.208, 2698.300, 2698.301, 2698.302, 2698.303, 2698.401, 2698.403, 2698.405, 2698.407, 2698.500, 2698.501,

01/16/04 AMEND: 260.102.14

01/02/04 AMEND: 2698.30, 2698.31, 2698.32, 2698.33, 2698.34, 2698.35, 2698.36, 2698.37, 2698.38, 2698.39, 2698.40,

2698.41, 2698.42 REPEAL: 2698.40,
2698.41, 2698.42, 2698.43, 2698.44,
2698.45

12/31/03 AMEND: 2318.6, 2353.1

12/31/03 AMEND: 2318.6, 2353.1, 2354

Title 11

05/05/04 AMEND: 51.20

04/30/04 ADOPT: 51.20

04/30/04 ADOPT: 51.21

04/26/04 ADOPT: 999.15, 999.16, 999.17, 999.18,
999.19, 999.20, 999.21, 999.22, 999.23
AMEND: 999.10, 999.11, 999.12,
999.13, 999.14 REPEAL: Appendix A

01/06/04 ADOPT: 2000, 2001, 2020,2050, 2051,
2052, 2053, 2070, 2071, 2072, 2140,
2141, 2142

Title 13

04/28/04 AMEND: 2415

04/09/04 REPEAL: 55.01, 55.02, 55.03, 55.04,
55.05, 55.06

03/01/04 ADOPT: 159.00

02/25/04 AMEND: 1900, 1960.1(k), 1961(a)(d),
1962

01/26/04 AMEND: 553.70

01/05/04 ADOPT: 25.06, 25.07, 25.08, 25.09,
25.10, 25.11, 25.12, 25.13, 25.14, 25.16,
25.17, 25.18, 25.19, 25.20, 25.21, 25.22

12/31/03 AMEND: 550, 551.1, 551.2, 551.11,
551.12, 551.13, 551.14, 551.15, 551.16,
551.17, 552, 553.40, 555, 555.1, 556,
557, 558, 560, 561, 562, 565, 566, 570,
571, 572, 573, 574, 575, 577, 584, 585,
586, 587, 588, 589, 590, 592, 593, 593.1,
595, 598

Title 14

05/03/04 ADOPT: 8100, 8100.01, 8100.02,
8100.03, 8100.04, 8100.05, 8100.06,
8100.07, 8100.08, 8100.09, 8100.10,
8100.11, 8100.12, 8100.13

04/30/04 AMEND: 27.60, 27.67, 27.82, 28.28,
28.29, 28.55

04/29/04 AMEND: 27.60, 28.55

03/30/04 AMEND: 27.60, 27.65, 27.82, 28.27

03/29/04 AMEND: 2000, 2200, 2305, 2310, 2320,
2401, 2500, 2501, 2518

03/29/04 AMEND: 150, 150.02, 150.03, 150.05

03/08/04 AMEND: 3698, 3699

03/02/04 AMEND: 18464, 18465

02/24/04 AMEND: 1.17, 1.59, 2.10, 5.00, 5.50,
5.75, 7.00, 7.50, 8.00, 27.60, 29.15, 43,
195

02/09/04 AMEND: 630

02/02/04 AMEND: 112

01/23/04 AMEND: 27.60, 27.82, 27.83, 28.26,
28.27, 28.28, 28.29, 28.54, 28.55, 28.58

01/15/04 AMEND: 150.06(c)

01/12/04 ADOPT: 17946, 17949

12/31/03 ADOPT: 4970.09 AMEND: 4970.00,
4970.01, 4970.02, 4970.03, 4970.04,
4970.05, 4970.06, 4970.07, 4970.08,
4970.10, 4970.11, 4970.12, 4970.13,
4970.14, 4970.15, 4970.16, 4970.17,
4970.18, 4970.19, 4970.20, 4970.21.
4970.21, 4970.21, 4970.22, 4970.23,
4970.2

Title 15

05/03/04 AMEND: 3040, 3041, 3041.1, 3041.2,
3043.5

05/03/04 AMEND: 3043.5, 3043.6, 3044

04/15/04 ADOPT: 2251.5 AMEND: 2041, 2057,
2072, 2073, 2074 REPEAL: 2050, 2051,
2052, 2054, 2055, 2056, 2701

03/03/04 AMEND: 2005

01/27/04 AMEND: 3426

01/09/04 ADOPT: 3000 AMEND: 3005, 3044,
3062, 3313, 3314, 3315, 3323, 3376

Title 16

05/04/04 AMEND: 1079.3

04/29/04 AMEND: 2030.2

04/22/04 ADOPT: 1399.330, 1399.349, 1399.352.5
AMEND: 1399.301, 1399.321, 1399.350,
1399.351, 1399.352, 1399.353, 1399.356,
1399.395 REPEAL: 1399.330, 1399.331,
1399.333

04/15/04 ADOPT: 1399.700, 1399.701, 1399.702,
1399.703, 1399.704, 1399.705, 1399.706,
1399.707 AMEND: 1399.650, 1399.700,
1399.705

04/12/04 AMEND: 2756

03/09/04 ADOPT: 4150, 4151, 4152, 4153, 4154,
4155

03/03/04 ADOPT: 1829 AMEND: 1816.2, 1816.3,
1877 REPEAL: 1815

01/23/04 ADOPT: 6.1, 7.1, 7.2, 8.1, 8.2, 51.1, 56.4,
59, 60, 61, 68.2, 68.3, 68.4, 68.5
AMEND: 5.1, 7, 8, 52, 70, 71, 88, 88.2,
98 REPEAL: 52.1

Title 17

04/29/04 AMEND: 54342, 57332

04/12/04 AMEND: 54001, 54010

02/05/04 ADOPT: 90800.75, 90800.9, 90804
AMEND: 90800.8, 90801, 90802, 90803

02/03/04 AMEND: 50604, 50608, 54326, 54370,
56003, 56082, 57540, 58510, 58671

01/23/04 AMEND: 54001, 54010

Title 18

01/26/04 AMEND: 1591

01/21/04 ADOPT: 1621

Title 20

01/14/04 ADOPT: 14.7
12/31/03 ADOPT: 1395, 1395.1, 1395.2, 1395.3, 1395.4, 1395.6

Title 22

05/04/04 ADOPT: 110226, 110242, 110251, 110336, 110337, 110355, 110485, 110547, 110615, 116004, 116018, 116036, 116038, 116042, 116061, 116062, 116063, 116100, 116102, 116104, 116106, 116108, 116110, 116114, 116116, 116118, 116120, 116122, 116124, 116130, 116132,
05/03/04 AMEND: 123000
04/26/04 AMEND: 90417
04/26/04 ADOPT: 51008.1 AMEND: 51104, 51520, 51521
04/22/04 AMEND: 51516.1
04/12/04 AMEND: 12705
04/12/04 AMEND: 12000
04/02/04 ADOPT: 119003, 119015, 119019, 119045, 119069, 119076, 119191
03/26/04 AMEND: 66250.1, 66250.2, 66260.1, 66260.2, 66260.3, 66260.4, 66260.5, 66260.1, 66260.2, 66260.3, 66260.4, 66260.5
03/23/04 AMEND: 5200
03/22/04 AMEND: 66260.10
03/08/04 AMEND: 97232
02/26/04 AMEND: 66260.10, 66268.7, 66268.8, 66268.42
02/24/04 ADOPT: 51008.1 AMEND: 51104, 51520, 51521
02/03/04 ADOPT: 51200.01 AMEND: 51000.4, 51000.30, 51000.45, 51000.50, 51000.55, 51200, 51454
01/14/04 ADOPT: 51315 REPEAL: 51515

Title 22, MPP

04/26/04 ADOPT: 86000, 86001, 86005, 86009, 86010, 86018, 86020, 86022, 86023, 86024, 86028, 86030.5, 86031.5, 86036, 86044, 86044.5, 86045, 86061, 86064, 86065, 86065.2, 86065.3, 86065.4, 86065.5, 86066, 86068.1, 86068.2, 86068.3, 86068.4, 86070, 86072, 86073,
03/11/04 ADOPT: 102416.1 AMEND: 80001, 80019, 80019.1, 80019.2, 80054, 80061, 80065, 80066, 87101, 87219, 87219.1,

87454, 87565, 87566, 87801, 87819, 81819.1, 87854, 87861, 87865, 87866, 101152, 101170, 101170.1, 101170.2, 101195, 101212, 101216, 101217, 102352,

Title 23

04/08/04 ADOPT: 2631.1, 2638, 2715 AMEND: 2611, 2630, 2635, 2636, 2636.1, 2637, 2641, 2712
04/02/04 REPEAL: 595
03/24/04 ADOPT: 3956
02/27/04 ADOPT: 3939.6
02/27/04 ADOPT: 3939.7
01/30/04 ADOPT: 3939.5
01/30/04 ADOPT: 3939.4
01/26/04 ADOPT: 3717
01/05/04 AMEND: 3977

Title 25

03/30/04 AMEND: 19200, 19205
03/22/04 AMEND: 7552

Title 27

04/01/04 ADOPT: 10050, 10051, 10052, 10053, 10054, 10055, 10056

Title 28

05/05/04 AMEND: 1005
02/24/04 AMEND: 1000

Title MPP

04/29/04 ADOPT: 30-501, 30-502, 30-503, 30-504, 30-505, 30-506, 30-507, 30-900, 30-901, 30-902, 30-903, 30-904, 30-905, 30-906, 30-907, 30-908, 30-909, 30-910, 30-911, 30-912, 30-913, 30-914, 30-915, 30-916, 30-917, 30-918, 30-919, 30-920, 31-236 AMEND: 11-400t,
04/22/04 AMEND: 63-102, 63-504
04/19/04 AMEND: 63-300, 63-504
04/15/04 AMEND: 42-710.66, 42-711.512, .61
02/26/04 ADOPT: 63-502.371 AMEND: 63-502.371, 63-502.372, 63-502.373, 63-502.374, 63-502.375, 63-502.376 REPEAL: 63-502.371(c)
02/25/04 AMEND: 63-503, 63-504, 63-505
02/02/04 ADOPT: 47-120, 47-430 AMEND: 40-107, 40-131, 40-181, 42-711, 47-301
01/16/04 AMEND: 63-300, 63407, 63-408, 63-410, 63-411, 63-503, 63-505
12/31/03 AMEND: 42-207, 42-215, 63-501, 63-1101

